

Notice of Allowability

Application No.

10/658,917

Examiner

Robert J. Canfield

Applicant(s)

SHARAPOV, SERGEY

Art Unit

3635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 06/09/05.
2. ☒ The allowed claim(s) is/are 1,4,5,7-9 and 11.
3. ☒ The drawings filed on 09/11/03 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

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1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in applicant's remarks section of the amendment received 06/09/05. The amendment has been made to correct matters of form and to remove a limitation from claim 9, which appears in claim 8 from which claim 9 depends.

The application has been amended as follows:

Replace the claim set of 06/09/05 with the following:

- - Claim 1. A protective cover for a vehicle comprising:
 - a sheet of a flexible material having a length, a width, and opposite ends, said sheet possessing a property of buckling or curving in the upward direction from said vehicle with the formation of a laterally open space between said vehicle and said sheet, said vehicle having an upper surface with an upper surface periphery;
 - securing means connected to said opposite ends for securing said opposite ends to said vehicle; and
 - at least one cassette with a slit having a width equal to or greater than said width of said sheet, said sheet being stored in said cassette in a wound state;
 - said length being greater than the length of said upper surface periphery of said vehicle, said buckling being caused by two oppositely directed forces applied to said opposite ends.

Claims 2 and 3 (Canceled).

Claim 4. The protective cover of claim 1, wherein said cassette is provided with a compression spring which is connected to one of said opposite ends of said sheet and tends to withdraw said sheet into said cassette through said slit, the other of said opposite ends supporting said securing means.

Claim 5. The protective cover of claim 1, wherein said securing means are hooks.

Claim 6 (Canceled).

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Claim 7. The protective cover of claim 4, wherein said securing means are hooks.

Claim 8. The protective cover of claim 1, wherein said flexible material is selected from the group consisting of plastic and fabric with means for imparting said fabric said property of buckling or curving, said sheet having valves for passing air under the effect of wind, said valves comprising slits through said flexible material.

Claim 9. The protective cover of claim 8, wherein said means for curving said fabric in said upward direction from said vehicle comprises metal strips with springing properties, said strips being pre-stressed for buckling up in a free state.

Claim 10 (Canceled).

11. The protective cover of claim 7, wherein said sheet has valves for passing air under the effect of wind, said valves comprising slits through said flexible material.

Claims 12-16 (canceled). - -

2. Claims 1, 4, 5, 7-9 and 11 are allowed.

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Several references teaching various features of the claimed invention were found during the examiner's update search.

4. The following is an examiner's statement of reasons for allowance: none of the prior art of record teaches the combination of the sheet and cassette where the sheet possesses the property of buckling caused by oppositely directed forces.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert J. Canfield whose telephone number is 571-272-6440. The examiner can normally be reached on M-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl Friedman can be reached on 571-272-6842. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Robert J Canfield
Primary Examiner
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08/25/05